

## **RESPONSE**

### **I. Restriction Requirement**

The Examiner has determined that the original claims are directed to two separate and distinct inventions under 35 U.S.C. § 121, as follows:

- Group I: Claims 1-3, said to be drawn to an isolated nucleic acid molecule comprising at least 24 contiguous bases of SEQ ID NO:1, classified in class 536, subclass 23.1; and
- Group II: Claim 4, said to be drawn to an isolated oligopeptide having at least 12 contiguous amino acid of SEQ ID NO:2, classified in class 530, subclass 300.

### **II. Response to Restriction Requirement**

In response to the Requirement, Applicants hereby elect without traverse to prosecute the claims of the Group I invention (claims 1-3), drawn to an isolated nucleic acid molecule comprising at least 24 contiguous bases of SEQ ID NO:1, classified in class 536, subclass 23.1. Accordingly, claim 4 has been cancelled herein without prejudice and without disclaimer, as drawn to a non-elected invention.

Applicants reserve the right to refile claims to the non-elected invention in one or more future applications retaining the priority date of the present case and the earlier cited priority applications.

### **III. Status of the Claims**

Claim 4 has been cancelled without prejudice and without disclaimer as drawn to a non-elected invention. Claim 2 has been cancelled without prejudice and without disclaimer. No claims of the Group I invention have been amended. New claims 5-11 have been added.

Claims 1, 3 and 5-11 are therefore presently pending in the case.

### **IV. Support for the Newly Added Claims**

Claim 5 has been added to recite an isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:1. Support for this claim can be found throughout the specification as originally filed, with particular support being found at least in original claim 1.

Claim 6-8 have been added to specifically recite expression vectors comprising the nucleic acid molecule of claim 1, and alternate embodiments thereof. Support for these claims can be found throughout the specification as originally filed, with particular support being found at least at page 14, lines 18-24.

Claims 9-11 have been added to specifically recite host cells comprising the expression vector of claim 6, and alternate embodiments thereof. Support for these claims can be found throughout the specification as originally filed, with particular support being found at least at page 14, lines 25-31.

It will be understood that no new matter is included within the newly added claims.

**V. Conclusion**

The present document is a complete response to the Restriction Requirement. Applicants believe that the claims of the instant application meet all of the conditions for patentability and are in condition for allowance. Accordingly, an early indication of the same is respectfully requested. Should Examiner Bunner have any questions or comments, or believe that certain amendments of the claims might serve to improve their clarity, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,

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Date



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